

Application No.: 10/635,864  
Response dated October 18, 2006  
Reply to Office Action of: July 20, 2006  
- 7 - of 8

RECEIVED  
CENTRAL FAX CENTER  
OCT 18 2006

REMARKS

Reconsideration of the present claims, in light of the Remarks which follow, is respectfully requested.

Claims now before the Examiner are 1-16, 18 and 20.

Support for the claim amendments (claims 1 and new claim 20) may be found paragraph [0148], page 33. Applicants note that the total number of claims paid for has not changed with the cancellation of two claims. No new matter has been added.

The numbering in this Response will follow that of the Examiner's action.

1.-3. No response necessary.

**Double Patenting**

4.-5. *Claims 1-13 stand provisionally rejected over USSN 10/772,823.*

Upon indication of allowable subject matter in the present case, a Terminal Disclaimer will be filed.

**Rejections under 35 USC § 102 and/or 35 USC § 103**

7.-8. *Claims 1-13 stand rejected under 35 USC § 102(b) as Anticipated or under 35 USC § 103(a) as Obvious over US 5,124,418 (Welborn).*

All the claims as amended contain the element "...said bimodal polyethylene [comprises] consists of a nitrogen containing ligand detectable by High Resolution Mass Spectroscopy (HRMS)..." in reference to the claimed bimodal polyethylene. Welborn neither discloses or suggests a catalyst residue in the polyethylene from a nitrogen containing ligand. Therefore, Welborn does not Anticipate the present claims. Furthermore, without a disclosure to this element of the claims, a Prima Facie case of Obviousness cannot be made because Welborn does not disclose or suggest all the claim elements, as amended (MPEP 2142).

Accordingly, withdrawal of the Rejections is respectfully requested.

Application No.: 10/635,864  
Response dated October 18, 2006  
Reply to Office Action of: July 20, 2006  
- 8 - of 8

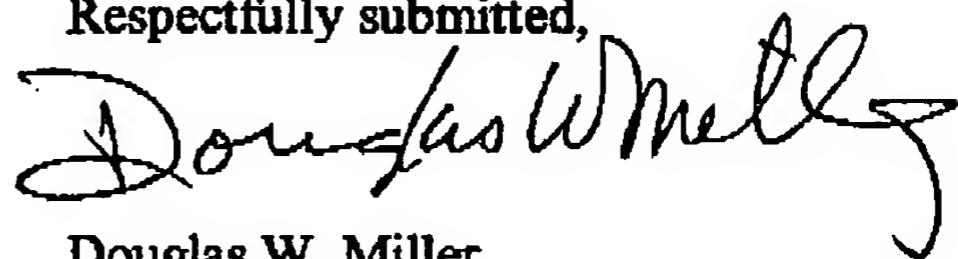
The claims are in condition for allowance.

Note is made that the correspondence should be sent to:

Douglas W. Miller  
In representation of Univation Technologies, LLC  
c/o Maureen M. White  
5555 San Felipe, Suite 1950  
Houston, Texas 77056  
Facsimile: 713.892.3687

However the telephone number for Douglas W. Miller is (409) 763-4200.

Respectfully submitted,



Douglas W. Miller  
Agent for Applicants  
Registration No. 36,608

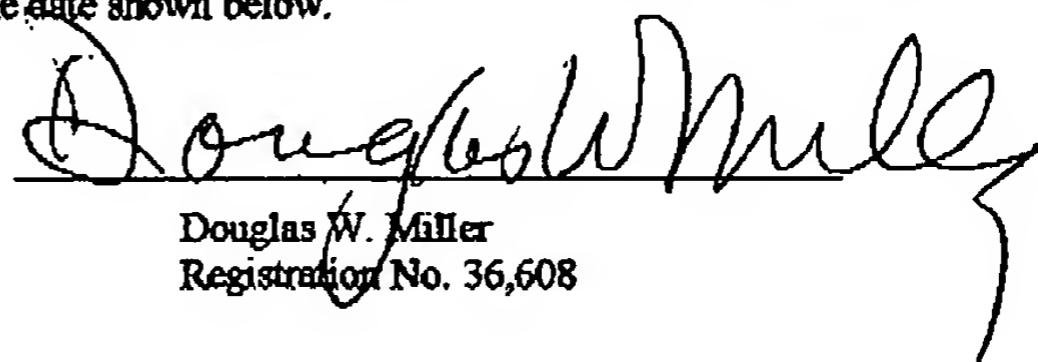
Southwest Patent Services  
305 21<sup>st</sup> Street, Suite 249  
Galveston, Texas 77550  
Phone: (409) 763-4200  
Facsimile: (409) 763-4201

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

October 18, 2006

Date



Douglas W. Miller  
Registration No. 36,608